

**NEIGHBORHOOD STABILIZATION PROGRAM
(NSP3)**

APPLICATION FORM

**CITY OF BIRMINGHAM
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
PY 2010
NON-PROFIT/ FOR-PROFIT
AFFORDABLE HOUSING DEVELOPER**

Application Deadline Thursday, July 21, 2011

**FORWARD AN ORIGINAL AND TWO COPIES OF
THE APPLICATION PACKAGE TO:**

**James F. Fenstermaker, Director
Department of Community Development
710 North 20th Street
10th Floor City Hall
City of Birmingham, Alabama 35203
Attn: NSP3 Application**

**NEIGHBORHOOD STABILIZATION PROGRAM 3 APPLICATION
CITY OF BIRMINGHAM, AL COMMUNITY DEVELOPMENT DEPARTMENT**

Check One
(Accepting Developer
Responses Only):

Developer ☐

Check One:

For Profit ☐

Nonprofit ☐

DUNS #:

CCR# (CAGE Code):

Authorized Official:

Address:

Phone Number:

Fax #:

E-Mail Address:

Total Amount Requested:

\$

Application Preparer's Name:

Firm/Organization:

Address:

Phone Number:

E-Mail Address:

Geographic Area(s) to be Served:

HUD Mapping Tool Neighborhood ID#:

Project Summary:

Authorized Official

Date

Neighborhood Stabilization Program 3

To the extent feasible, an NSP3 activity must have a direct relationship to addressing redevelopment of foreclosed upon, abandoned, and/or vacant multi-family or single-family properties. Applicant must be the entity who will maintain site control and directly carry-out NSP3 activities without the assistance of sub-recipients or sub-awardees. Applications may contain one or more activities. All proposed activities must meet the national objective of serving individuals and households whose incomes are \leq 120 percent of area median income. In addition, at least 25 percent of the grant request must benefit individuals and households whose incomes are \leq 50 percent of area median income. We encourage you to develop cost-effective projects that offer significant impact and can be carried out expeditiously. Please pay special attention to City Objectives and project review criteria in the PY 2010 Action Plan Substantial Amendment, which can be found at www.birminghamal.gov.

A. Area(s) of Greatest Need – Proposed project must target units located in the City of Birmingham within an area with a NSP3 Foreclosure Need Score of 15 or greater. Applicant must provide a local housing market analysis which in addition to home foreclosures, abandonment of properties and sub-prime loans may include items such as sales volume, sales price, cost and availability of credit, absorption rate, and age of listings. Analysis will include the likely volume of properties eligible for NSP3 activities. Other important market issues could include typical development costs, level of required rehabilitation, price volatility, resale and lease-up time, property type, property/project size, and level of homeownership. Describe the data sources used to determine the area(s) of greatest need. For guidance, please refer to HUD's *NSP3 Program Design Guidebook* at the following link: <http://hudnsphelp.info/media/resources/NSP3DesignGuidebook.pdf>. It is important to select an area of need where market conditions will support the proposed project and where the proposed project will have a stabilizing impact on the community. Please refer to the City's PY 2010 Action Plan Substantial Amendment for a map of eligible areas.

B. Project Description - Describe the project in as much detail as possible including separate elements of the project. For example, if the project consists of acquisition and rehabilitation of foreclosed upon homes and the sale or lease of those properties to qualified buyers or renters, the applicant should address the following: identify (or describe process to identify) properties to be acquired; determine pricing of these properties to ensure required discount (*minimum one (1) percent discount*); required rehabilitation standards; the process to carry out rehabilitation activities; identify (or describe process to identify) potential buyers or renters for these properties; identify continued affordability standards and enforcement mechanisms (as well as definition of affordable rents if applicable) to ensure long-term affordability; the process to ensure each homebuyer obtains a mortgage loan from a lender who agrees to comply with the bank regulators' guidance for non-traditional mortgages; the process to provide the

required eight hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a mortgage loan; and the process to affirmatively market housing opportunities and ensure program information is available in the appropriate languages for the target area(s) to be served.

The application's competitiveness will be strongly dependent upon the extent of project development, including pre-identified properties to be acquired and rehabilitated, and the level of detail to which the applicant has identified all components necessary to implement and complete the project in a timely manner. To the extent possible, applicants are encouraged to carry out their NSP3 activities in the context of a comprehensive plan for the community's vision of how it can make its neighborhoods not only more stable, but also more sustainable, inclusive, competitive, and integrated into the overall metropolitan fabric, including access to transit, affordable housing, employers, and services.

C. Activity Description - Applicants must provide the following information by activity: how the activity will address local market conditions; range of interest rates (if any); reuse of program income or revenue; duration or term of assistance; number of units to be acquired, rehabilitated, or demolished for ≤ 50 percent area median income beneficiaries, for 51 - 80 percent area median income beneficiaries, for 81-120 percent area median income beneficiaries, or whether benefit is for a service area where at least 51 percent of the households have incomes ≤ 120 percent of area median income; whether units are multi-family or single-family; whether tenure is renter or owner; how the design of the activity will ensure continued affordability; how the applicant will, to the maximum extent feasible, provide for vicinity hiring or contract with small businesses owned and operated by persons residing in the vicinity including information on existing local ordinances that address these requirements; and procedures used to create preferences for affordable rental housing. (*Note: A lease-purchase project is an ownership activity, not a rental activity.*)

Applicant must identify the relative building code(s) applicable to the proposed activities and detail how it proposes to utilize applicable housing rehabilitation standards to incorporate energy efficient and environmentally-friendly green elements to provide for long-term affordability and increased sustainability. Requirements include Energy Star Qualified New Homes (for gut rehabilitation or new construction); American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004, Appendix G plus 20 percent (for gut rehabilitation or new construction of mid- or high-rise multifamily housing); Energy Star-46 labeled products; water efficient toilets, showers, and faucets such as those with the WaterSense label; and, where relevant, how housing will be improved to mitigate the impact of disasters. For additional guidance, please refer to the *NSP Resource Exchange* at www.hud.gov/nspta, the *Energy Star* program at www.energystar.gov, and the *Green Housing Development Guide* at <http://hudnsphelp.info/media/resources/GreenHousingDevelopmentGuide.pdf>.

Preference will be given to those with activities that closely follow that of the Officer Next Door Program. Further preference is given to those with programs for April 27, 2011 tornado victims.

D. Impact and Cost-Effectiveness - Applicant must demonstrate how program design will address local housing market conditions and how the project will strive to address at least 20 percent of the foreclosed upon, abandoned, and/or vacant properties in the target area(s) of greatest need. Describe the impact proposed activities will have on the target neighborhood(s) as well as the cost-effectiveness of these activities. (For example, a project proposing to spend \$100,000 per housing unit will have only one-third the unit count; and, therefore, one-third the impact as a project proposing to spend \$35,000 per unit. Higher soft-costs will impact cost-effectiveness as well.)

E. Capacity and Project Readiness - Describe management capacity to carry-out all aspects of proposed activities in a timely manner. The NSP3 has an onerous timeline for expenditure of funds and requires adequate capacity and sufficient readiness. Applicant should describe how it proposes to expend funds and occupy units within the mandatory three year timeline. (*Note: Fifty percent of funds must be expended within two years.*) Applicant should demonstrate capacity as a result of in-house experience to successfully carry-out the project as evidenced by the successful completion of at least 15 units under NSP1 (or other relevant experience), with no serious issues. Applicant must demonstrate prior experience successfully ensuring compliance with applicable rules and regulations (such as environmental, labor standards, procurement, lead-based paint, civil rights, fair housing and equal opportunity) as evidenced by progress to date with NSP1 funds and results of monitoring reviews.

F. Maps and Pictures - Applicant must provide the *Neighborhood ID Number* and attach the *NSP3 Planning Data* information sheet and map(s) of the target area(s) of greatest need using HUD's *NSP3 Foreclosure Need Map (Mapping Tool)* - See instructions at the following link: <http://www.huduser.org/NSP/NSP3.html>). Include other appropriate map(s) as needed to show the location of the project's proposed properties/units to be addressed as well as other relevant information. In addition to maps, the applicant may provide pictures of proposed properties/units.

G. Activity Summary - Please complete the *Activity Summary Table* on the following page for each proposed activity. (*Use additional pages if needed.*)

Activity Summary Table

Activity Name/Type: _____

HUD Mapping Tool Neighborhood ID#: _____

Census Tract Number (for Area Benefit only): _____

Total Amount Requested for Activity: \$ _____

Proposed Amount to Benefit Households with Income \leq 50% AMI: \$ _____

Proposed Amount to Benefit Households with Income 51-80% AMI: \$ _____

Proposed Amount to Benefit Households with Income 81-120% AMI: \$ _____

Proposed Number of Units to Benefit Households with Income \leq 50% AMI: _____

Proposed Number of Units to Benefit Households with Income 51-80% AMI: _____

Proposed Number of Units to Benefit Households with Income 81-120% AMI: _____

Proposed Cost/Unit: \$ _____

Proposed Property Type: Multi-Family ☐ Single-Family ☐

Proposed Tenure of Beneficiaries: Owners ☐ Renters ☐

(Note: If proposed activity includes both owners and renters, please complete two separate Tables – one for proposed owner activity and one for proposed renter activity.)

Expected Start Date: _____

Expected End Date: _____

H. Cost Estimate - For each proposed activity, show estimates of all major cost items including the cost of professional and administrative services or developer fees. (Note: Up to 15 percent of request can be for activity delivery costs or developer fee.)

Sources and Uses of Funds Table

Line Item Activity	NSP3 Funds	Other Funds*	Total
a. Financing			
b. Acquisition			
c. Rehabilitation			
d. Redevelopment			
e. Relocation			
f. Counseling			
g. Demolition			
h. Other			
i. Subtotal by Source			
j. Architectural/Engineering			
k. Developer Fee			
l. Total Cost by Source			

*Note: Please identify the source(s) of *Other Funds*.

APPENDIX “A”

Request for Proposals Advertisement

Legal Advertisement

Request for Proposals (RFP) Non-Profit/For-Profit **Developers** Affordable Housing

The City of Birmingham, through its Office of Community Development is soliciting Non-Profit and For-Profit Housing Developers to submit proposals for the implementation of its Neighborhood Stabilization Program 3 (NSP3) to include acquisition, rehabilitation, and re-sale of foreclosed properties within the City of Birmingham.

All proposals must be received in the Office of Community Development at the below address by no later than 4:30 p.m. on July 21, 2011. No fax or e-mail proposals will be accepted.

Room 1000 – (10th Floor)
City Hall
710 North 20th Street
Birmingham, Al. 35203

Copies of the complete Request for Proposals can be picked up at the above-address or requested via e-mail or fax. All requests by means other than by in-person visits to the above noted Office will be responded to via e-mail or United States Postal Service. All questions should be addressed to James S. Roberts or Kenneth H. Knox at 254-2312.

Run Dates:	Birmingham Times	6/30/11
	Birmingham News	6/29/11

APPENDIX B

CERTIFICATIONS

CERTIFICATION REGARDING CONFLICT OF INTEREST

The undersigned certifies to the City of Birmingham through its Office of Community Development that it and its principals are in compliance with the Conflict of Interest provision of the Neighborhood Stabilization Program (NSP):

- In the procurement of property and service 24 CFR 85.36 and OMB Circular 110 Rules Regarding Conflict of Interest apply.
- In all cases not governed by those rules, conflicts of interest are not permitted. The following applies:

If a person is:

An employee, agent, consultant, officer, elected official or appointed official of a PJ, State recipient or sub recipient of NSP,

AND have NSP-related responsibilities or access to inside information.

That person may NOT:

Obtain a financial benefit or interest from any NSP activity for themselves or those with whom they have family or business ties during their tenure or for one year thereafter.

Organization Name

By: _____

Its: _____

Date: _____

**DEVELOPERS CERTIFICATION REGARDING
DEBARMENT, SUSPENSION,
AND OTHER RESPONSIBILITY MATTERS**

1. The undersigned certifies to the City of Birmingham through its Office of Community Development that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment or suspension, declared ineligible, or voluntarily excluded from any transactions or construction projects involving the use of Federal funds;
 - (b) Have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) Have not within a three-year period preceding this certification had one or more public projects (Federal, State or local) terminated for cause of default.
2. Where the undersigned is unable to certify to any of the statements in this certification, the undersigned shall attach an explanation to this certification.

Organization Name

By: _____

Its: _____

Date: _____

**CERTIFICATION REGARDING
DISPLACEMENT,
RELOCATION AND ACQUISITION**

The undersigned, hereby, certifies to the City of Birmingham through its Office of Community Development that if its application is selected for funding, it and its principals will:

1. Take all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms).
2. Provide relocation assistance at the levels described in, and in accordance with the requirements of 24 CFR part 92 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4201-4655) and 49 CFR Part 24.
3. Advise all displaced persons of their rights under the Fair Housing Act (42 U.S.C. 3601-19).

Organization Name

By: _____

Its: _____

Date: _____

**CERTIFICATION REGARDING
PROHIBITION OF THE USE OF NSP FUNDS
FOR LOBBYING AND BRIBES**

I, _____, the _____

Of _____ ("Owner") authorized to act on behalf of Owner certify to the City of Birmingham through its Office of Community Development that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the Owner, to any person for influencing or attempting to influence an office or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement;
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Owner will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- (3) The Owner shall require that this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

Name

Title

Date

**CERTIFICATIONS REGARDING
AFFIRMATIVE MARKETING PROCEDURES**

The undersigned applicant certifies to the City of Birmingham through its Office of Community Development (“the County”) that it will continue to further Equal Opportunity and Fair Housing by:

1. Establishing affirmative marketing procedures to be utilized so that no person shall, on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity funded in whole or part with funds made available under City of Birmingham’s NSP Program.
2. Complying with the requirements of the Fair Housing Act and the Age Discrimination Act of 1975.
3. Displaying the Fair Housing logo on its advertisements for those units and at the leasing or sales office. At a minimum, a Fair Housing poster will be displayed at the leasing or sales office.
4. Submitting in writing to the City its plans to solicit applications from persons in the community who are unlikely to apply without special outreach.
5. Maintaining a list of the characteristics of the tenants renting NSP assisted units and will assess and report annually the results of these efforts to the City.
6. Section 3 of the Housing and Urban Development Act of 1968. Will submit HUD Form 60002, Section 3 Summary Report which is used to report annual accomplishments regarding employment opportunities to low-and very low-income persons under Section 3 of the Housing and Urban Development Act of 1968.
7. Affirmative Marketing in Resale: You will submit to the City for approval and Affirmative Fair Housing Marketing Plan (AFHMP) in accordance with 24 CFR Part 200, Subpart M.

Signature of Authorized Certifying Official: Title:

Applicant Organization:

Date:

